

REMARKS

By this amendment, claims 1 and 7 have been amended, and claim 2 has been canceled without prejudice or disclaimer. Claims 4-6 and 10-22 were previously withdrawn from further consideration. Accordingly, claims 1, 3, and 7-9 are currently pending in the application, of which claim 1 is an independent claim.

Applicant respectfully submits that the above amendments do not add new matter to the application and are fully supported by the specification. Support for the amendments may be found at least in Figures 3, 4, 5A, and 6B.

In view of the above amendments and the following Remarks, Applicant respectfully requests reconsideration and timely withdrawal of the pending objections and rejections for the reasons discussed below.

Rejections Under 35 U.S.C. § 102

Claims 1-3 and 7-8 stand rejected under 35 U.S.C. § 102(b) as being allegedly anticipated by Japanese Patent Application Publication No. 10-214614, filed by Inoue Takefumi ("Inoue").

In order for a rejection under 35 U.S.C. § 102(b) to be proper, a single reference must disclose every claimed feature. To be patentable, a claim need only recite a single novel feature that is not disclosed in the cited reference. Thus, the failure of a cited reference to disclose one or more claimed features renders the 35 U.S.C. § 102(b) rejection improper.

Applicant respectfully asserts that Inoue fails to disclose every limitation of claim 1 as amended. Claim 1 as amended recites, *inter alia*:

wherein the negative electrode lead comprises a planar portion electrically coupled to the negative electrode plate and a curved portion arranged out of plane from the planar portion, the curved portion having the same width as the planar portion, and the

current interrupter is arranged in the curved portion of the negative electrode lead, and

wherein the current interrupter has a cross-sectional area that is smaller than a cross-sectional area of an adjacent portion of the planar portion. (emphasis added)

Inoue fails to disclose at least these features. Specifically, Inoue fails to disclose “the negative electrode lead comprises ... a curved portion arranged out of plane from the planar portion.” Rather, in Inoue, the negative electrode lead is shown in Figs. 1-3 as a planar lead. Further, the translation of Inoue describes the negative electrode lead as “a long and slender metallic foil.” See Inoue, paragraph [0012]. Thus, since Inoue fails to disclose the curved portion recited in claim 1, Inoue also necessarily fails to disclose that “the current interrupter is arranged in the curved portion” where the current interrupter “has a cross-sectional area that is smaller than a cross-sectional area of an adjacent portion of the planar portion.” For at least these reasons, Inoue fails to disclose every limitation of claim 1. Moreover, since Inoue fails to disclose every limitation of claim 1, Inoue similarly fails to disclose every limitation of claims 3 and 7-8, which depend from claim 1.

Accordingly, Applicant respectfully requests withdrawal of the 35 U.S.C. § 102(b) rejection of claim 1. Since none of the other prior art of record discloses or suggests all the features of the claimed invention, Applicant respectfully submits that independent claim 1 and all the claims that depend therefrom are allowable.

Claim 2 has been canceled, and the rejection thereof has been rendered moot.

Rejections Under 35 U.S.C. § 103

Claim 9 stands rejected under 35 U.S.C. § 103(a) as being allegedly unpatentable over Inoue in view of U. S. Patent Application Publication No. 2005/0171383 filed by Arai, *et al.* (“Arai”).

Applicant submits that claim 1 is allowable over Inoue, and Arai fails to cure the deficiencies of Inoue noted above with regard to claim 1. Hence, claim 9 is allowable at least because it depends from an allowable base claim.

CONCLUSION

Applicant believes that a full and complete response has been made to the pending Office Action and respectfully submits that all of the stated grounds for rejection have been overcome or rendered moot. Accordingly, Applicant respectfully submits that all pending claims are allowable and that the application is in condition for allowance.

Should the Examiner feel that there are any issues outstanding after consideration of this response, the Examiner is invited to contact Applicant's undersigned representative at the number below to expedite prosecution.

Prompt and favorable consideration of this Reply is respectfully requested.

Respectfully submitted,

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